

JULIA C. DUDLEY, CLERK
BY: s/ SUSAN MOODY
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

THE NATIONAL BANK OF)
BLACKSBURG,) Civil Action No. 7:18CV0310
Plaintiff,)
v.)
EVEREST NATIONAL INSURANCE)
COMPANY,)
Defendant.)
By: Hon. Glen E. Conrad
Chief United States District Judge

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the court proposes the following as a scheduling order. Unless any party objects within 10 days, this will constitute the scheduling order applicable to the case.

It is **ORDERED** as follows:

1. All parties shall file cross Motions for Summary Judgment, with all briefs in support thereof, by no later than November 15, 2018;
2. All parties shall file any briefs in opposition thereto, by no later than December 7, 2018;
3. All parties shall file any reply briefs by no later than December 21, 2018;
4. If any party desires a hearing on a motion, the hearing may be scheduled with the court before or after the filing of the motion, but must be scheduled promptly following the filing of the last brief, or the court will consider the motion to be submitted for decision without hearing. In any event, if within 30 days of filing of any dispositive or nondispositive pretrial motion, the moving party has not brought the motion on for hearing or advised the court that the motion is ripe for decision, the motion will be deemed denied without further notice or order of this

court, and the court will not entertain a renewed motion on the same issue, except for good cause;

5. In the event any discovery in this case is appropriate, it will be completed by no later than November 8, 2018;
6. The court makes active use of mediation practice. This case may be referred for mediation at the request of either party, or on the court's own motion. Mediation of the case shall proceed independently of all other pretrial development. Mediation of the case shall not operate so as to modify or stay the scheduling provisions of any pretrial order, except upon demonstration of exceptional cause; and
7. If this case settles and the court does not receive the proposed final order within 60 days after the court received oral or written notification of the settlement, the court will dismiss the case with prejudice without further notice, unless the court is advised in the meantime that further proceedings need to be scheduled.

ENTER: This 25th day of July, 2018.

s/ Glen E. Conrad
Senior United States District Judge